

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GARY J. LONCZAK,

Plaintiff,

vs.

THE TOP-FLITE GOLF COMPANY,

Defendant.

CIVIL ACTION NO. 05-30180-MAP

**DEFENDANT
RULE 16.1 CERTIFICATION**

Pursuant to Local Rule 16.1, the Defendant, The Top-Flite Golf Company, and its counsel, Skoler, Abbott & Presser, P.C., hereby certify that they have conferred with a view to establishing a budget for the costs of conducting the full course of the captioned litigation through trial and have discussed Alternative Dispute Resolution ("ADR") programs and the costs of resolving the captioned litigation through an ADR program.

Respectfully submitted,



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Dated: August 31, 2005



Peter A. Arturi
General Counsel
The Top-Flite Golf Company

Dated: August 29, 2005